

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LAWRENCE MALLY, On Behalf of Himself and  
All Others Similarly Situated,

Plaintiff,

-against-

QIAO XING UNIVERSAL TELEPHONE, INC.,  
RUI LIN WU, ALBERT LEUNG,

**Defendants.**

**MILTON PFEIFFER, On Behalf of Himself and All  
Others Similarly Situated,**

Plaintiff,

-against-

QIAO XING UNIVERSAL TELEPHONE, INC.,  
RUI LIN WU, ALBERT LEUNG,

**Defendants.**

ISAAC FISHMAN, CUSTODIAN FOR THE IBF  
FOUNDATION, On Behalf of Itself and  
All Others Similarly Situated,

Plaintiff,

-against-

QIAO XING UNIVERSAL TELEPHONE, INC.,  
RUI LIN WU, WU ZEI-YANG, ALBERT LEUNG,  
SONNY KWOK WING HUNG, ZE YUN MU, YI  
HONG ZHANG, and GROBSTEIN, HORWATH &  
COMPANY LLP,

Defendants.

|  |   |                    |
|--|---|--------------------|
| -----  | X |                    |
|  | X |                    |
| MICHAEL LOCKE, Individually and On Behalf of | : | 07 Civ. 7693 (DLC) |
| All Others Similarly Situated,               | : |                    |
|  | : | <b>ECF CASE</b>    |
| Plaintiff,                                   | : |                    |
|  | : |                    |
| -against-                                    | : |                    |
|  | : |                    |
| QIAO XING UNIVERSAL TELEPHONE, INC.,         | : |                    |
| RUI LIN WU, ALBERT LEUNG, ZHI YANG WU,       | : |                    |
| SONNY KWOK WING HUNG, ZE YUN MU, YI          | : |                    |
| HONG ZHANG, and GROBSTEIN, HORWATH &         | : |                    |
| COMPANY LLP,                                 | : |                    |
|  | : |                    |
| Defendants.                                  | : |                    |
| -----  | X |                    |
|  | X |                    |
| REUVEN LAPIN, Individually and On Behalf of  | : | 07 Civ. 7829 (DLC) |
| All Others Similarly Situated,               | : |                    |
|  | : | <b>ECF CASE</b>    |
| Plaintiff,                                   | : |                    |
|  | : |                    |
| -against-                                    | : |                    |
|  | : |                    |
| QIAO XING UNIVERSAL TELEPHONE, INC.,         | : |                    |
| RUI LIN WU, ALBERT LEUNG,                    | : |                    |
|  | : |                    |
| Defendants.                                  | : |                    |
| -----  | X |                    |

**DEFENDANTS QIAO XING UNIVERSAL TELEPHONE. INC., RUI LIN WU,  
ALBERT LEUNG, ZHI YANG WU, SONNY KWOK WING HUNG, ZE YUN MU,  
AND YI HONG ZHANG'S RESPONSE TO MOTIONS FOR APPOINTMENT OF  
LEAD PLAINTIFF AND CONSOLIDATION**

Defendants Qiao Xing Universal Telephone, Inc. (“Qiao Xing”), Rui Lin Wu, Albert Leung, Zhi Yang Wu, Sonny Kwok Wing Hung, Ze Yun Mu, and Yi Hong Zhang hereby respond to the motions to consolidate, appoint lead plaintiff and approve selection of lead plaintiff’s counsel filed in the cases *Mally v. Qiao Xing et al.*, No. 07-CV-7097 (filed August 9, 2007), *Pfeiffer v. Qiao Xing et al.*, No. 07-CV-7252 (filed August 14, 2007), *Fishman v. Qiao Xing et al.*, No. 07-CV-7312 (filed August 15, 2007), *Locke v. Qiao Xing et al.*, No. 07-CV-7693 (filed August 29, 2007), and *Lapin v. Qiao Xing et al.*, No. 07-CV-7829 (filed September 5, 2007).

Qiao Xing and the Individual Defendants agree that the *Mally*, *Pfeiffer*, *Fishman*, *Locke*, and *Lapin* actions should be consolidated. Consolidation is proper because these actions assert substantially the same claims and raise the same questions of law and fact. Qiao Xing and the Individual Defendants take no position as to whom should be appointed lead plaintiff or which firm should be selected as lead counsel.

Qiao Xing and the Individual Defendants reserve all rights with respect to any issues regarding class certification, including, but not limited to, typicality and adequacy with respect to the movants, until the question of class certification is addressed.

Dated: New York, New York  
October 12, 2007

MORRISON & FOERSTER LLP

By:

A handwritten signature in black ink, appearing to read 'Jack C. Auspitz', written over a horizontal line.

Jack C. Auspitz  
Joel C. Haims  
Lily M. Fan  
1290 Avenue of the Americas  
New York, NY 10104-0050  
(212) 468-8000

*Attorneys for Defendants  
Qiao Xing Universal Telephone, Inc.,  
Rui Lin Wu, Albert Leung, Zhi Yang Wu,  
Sonny Kwok Wing Hung, Ze Yun Mu, and  
Yi Hong Zhang*